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#9
5/15/03
#2665

PTO/SB/29 (05-03)
Approved for use through 04/03/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:
☐ DUPLICATE

Address to: Mail Stop CPA Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket No. of Prior Application	99TK553SS
	First Named Inventor	Jones, Andrew
	Examiner Name	Philpott, J.
	Art Unit	2665
	Express Mail Label No.	

MAY 13 2003

This is a request for a ☒ continuation or ☐ Divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09 / 410,974

Technology Center 2600

filed on 10/1/99, entitled PACKET TRANSMISSION

NOTES

Filing Qualifications: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.52(b), of (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☐ Enter the unentered amendment previously filed on _____
Under 37 CFR 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventor(s) named in the prior application, 37 CFR 1.53(d)(4).
 - ☐ DELETE the following inventor(s) named in the prior nonprovisional application:

 - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed;

a. <input type="checkbox"/> PTO-1449	05/12/2003 SSESHE1 00000095 09410974
b. <input type="checkbox"/> Copies of IDS Citations	01 FC:1006 750.00 OP
	02 FC:1201 252.00 OP
	03 FC:1202 34.00 OP

Page 1 of 2

This collection of information is required by 37 CFR 1.53(d). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 24 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop CPA, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (i))	-20* =	3	X \$ 18 =	\$ 54
	INDEPENDENT CLAIMS (37 CFR 1.16(B) OR (I))	-3** =	3	X \$ 84 =	252
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			X \$ _____ =	
				BASIC FEE (37 CFR 1.16)	750
				Total of above Calculations=	11056
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.				TOTAL = 1056

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.7. The Director is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50-1123:a. ☒ Fees required under 37 CFR 1.16.☐ Fees required under 37 CFR 1.17.c. ☐ Fees required under 37 CFR 1.18.8. ☒ A check in the amount of \$ 1056 is enclosed.9. ☐ Payment by credit card. Form PTO-2038 is attached.10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.11. ☐ New Attorney Docket Number, if desired 99TK553SS

[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]

12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)13. ☒ Other: Request for extension of time in 09/410,974

RECEIVED

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NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label
30429

(Insert Customer No. or Attach bar code label here)

or ☐ New correspondence
address below

Name

Address

City

Country

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)

Signature

Registration No. (Attorney Agent)

Date

STUART T. Langley 33940
 Stu Langley
 33940
 5/2/03



FREE TRANSMITTAL
for FY 2003

TOTAL AMOUNT OF PAYMENT (\$)

(\$)**930**

\$1056

Complete if Known

Application Number	09/410,974
Filing Date	October 1, 1999
First Named Inventor	Andrew JONES
Examiner Name	Phil Pott <i>Philpott</i>
Group / Art Unit	2665
Attorney Docket No.	99TK553SS

METHOD OF PAYMENT (check one)

1. ☒

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

50-1123

Deposit
Account
Name

Hogan & Hartson L.L.P.

- ☒ Charge Any Additional Fee Required Under 37 CFR § 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒

Payment Enclosed:

☒ Check

☐ Credit
Card

☐ Money
Order

☐ Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
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105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	

112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
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113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	

116	410	216	205	Extension for reply within second month	
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117	930	217	465	Extension for reply within third month	930
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118	1,450	218	725	Extension for reply within fourth month	
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128	1,970	228	985	Extension for reply within fifth month	
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119	320	219	160	Notice of Appeal	
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120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	

138	1,510	138	1,510	Petition to institute a public use proceeding	
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140	110	240	55	Petition to revive - unavoidable	
141	1,300	241	650	Petition to revive - unintentional	

142	1,300	242	650	Utility issue fee (or reissue)	
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143	460	243	230	Design issue fee	
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144	630	244	315	Plant issue fee	
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122	130	122	130	Petitions to the Commissioner	
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123	50	123	50	Processing fee under 37 CFR 1.17(q)	
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126	180	126	180	Submission of Information Disclosure Stmt	
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581	40	581	40	Recording each patent assignment per property (times number of properties)	
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146	750	246	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
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149	750	249	375	For each additional invention to be examined (37 CFR § 1.129(b))	
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179	750	279	375	Request for Continued Examination (RCE)	
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169	900	169	900	Request for expedited examination of a design application	
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Other fee (specify)

CPA Fees

1056

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)930

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
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1001	750	2001	375	Utility Filing Fee	
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1006	330	2006	165	Design filing fee	
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1007	520	2007	260	Plant filing fee	
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1008	750	2008	375	Reissue filing fee	
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1005	160	2005	80	Provisional filing fee	
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SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
0	-20**=	0	0
0	-3**=	0	0
Multiple Dependent		0	0

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1202	18	2202 9 Claims in excess of 20
1201	84	2201 42 Independent claims in excess of 3
1203	280	2203 140 Multiple dependent claim, if not paid
1204	84	2204 42 **Reissue independent claims over original patent
1205	18	2205 9 **Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)0

SUBMITTED BY Complete (if applicable)

Name (Print/Type) **Stuart T. Langley**

Registration No.
(Attorney/Agent)

33940

Telephone

(720) 406-5335

Signature

Stuart T. Langley

Date

5/7/03